

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL E. ELLER,
Petitioner

v.

C.A. No. 05-10740-DPW

LUIS SPENCER, SUPERINTENDENT
Respondent.

O R D E R

Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, the Clerk of this Court shall serve a copy of the Petition for a Writ of Habeas Corpus by mailing copies of the same, certified mail, to (i) Luis Spencer, Superintendent, MCI Norfolk, 2 Clark Street, Norfolk, MA 02056, and (ii) Cathryn Neaves, Chief, Appellate Division, Attorney General for the Commonwealth of Massachusetts, One Ashburton Place, 18th Floor, Boston, MA 02108-1598.

It is further ordered that Respondent shall, within 20 days of receipt of this Order, file an answer (or other proper responsive pleading) to the Petition for Writ of Habeas Corpus; AND

This Court further requests Respondent, as part of the return, to file such documents which reflect on whether Petitioner has exhausted his available state remedies with respect to the matters raised by the Petition.

SO ORDERED.

/s/ Douglas P. Woodlock
DOUGLAS P. WOODLOCK
UNITED STATES DISTRICT JUDGE

Dated: April 19, 2005